GOVERNMENT RESPONSE TO
THE INDEPENDENT REVIEW
OF REPORTING PROCEDURES
IN CHILDREN'S RESIDENTIAL FACILITIES

Manitoba Family Services
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GOVERNMENT RESPONSE TO THE INDEPENDENT REVIEW OF REPORTING PROCEDURES IN CHILDREN'S RESIDENTIAL FACILITIES

BACKGROUND:

The Independent Review into Child Abuse Reporting Procedures in Children's Residential Care Facilities was established in August 1991.

As defined in the executive summary of the final report:

> "The purpose of the Review was to investigate the adequacy of existing guidelines and practices, and make recommendations to improve the handling of child abuse allegations as they relate to child care institutions, youth centres and other child care facilities."

The five key terms of reference for the review were:

1. The adequacy and appropriateness of current legislative requirements, regulations, and standards, and of care facilities' internal policies and procedures for reporting suspected or alleged child abuse to appropriate authorities.

2. The manner in which care facilities' staff, management, and board members have applied established reporting policies and procedures when suspicions or allegations of child abuse have been raised.

3. Procedures for ensuring that all staff, management, board members and children in care facilities are familiar with and understand reporting requirements and protocols.

4. Procedures for ensuring adherence to reporting requirements.

5. Personnel practices, including screening procedures for new employees, staff training in reporting procedures, and the assignment or supervision of staff suspected or alleged to have committed child abuse.

The report identifies many issues facing the residential care system, and as a government we are committed to taking a leadership role in ensuring that effective safeguards are in place and are being applied to protect children in residential care facilities.

Government's response addresses either in total, or in part, all of the 50 recommendations made in the report.

Our plan includes working with the residential care centres, their staff, and the mandated child and family service agencies so when children, in their best interest, are placed in residential facilities, there are checks and balances in place to assure their safety.

GOVERNMENT'S COMMITMENT:

- to strengthen, clarify, and standardize required procedures for reporting abuse and accountability standards for the staff and management of treatment centres, placing agencies, and the Child and Family Support Branch.

  ACTION:

  - A comprehensive review of The Child and Family Services Act.
  - Establish provincial investigative teams to provide an independent examination of abuse allegations against staff working in residential care.
  - Establish a Working Committee to guide the implementation of clearer, more standardized reporting procedures and examine ways to ensure more effective application of these standards. The Working Committee will also be asked to address other systemic issues raised in the report.

- to ensure that the "best interests" and rights of children in residential care are protected.

  ACTION:

  - Implement government's plan for a Child Advocate's Office to ensure that the rights of children in the child and family services system are protected.

- Develop and distribute material outlining the rights of and the avenues of assistance available to children in care.

- Review and develop appropriate program standards for child care facilities.

- to improve and develop a comprehensive residential care and treatment program for children and adolescents in Manitoba.

  ACTION:

  - Review specialized resources, treatment support, and the role of Mental Health Services in developing a comprehensive plan for treatment services.

  - Work with the Aboriginal community in developing culturally-appropriate service.

- to provide standardized training and support to care workers, including development of a more effective screening process for workers entering the residential care system.

  ACTION:

  - Establish a Residential Child Care Curriculum Committee to develop minimum standards for workers in residential care and training courses which meet the needs of those workers.

  - Develop, in consultation with the Child and Youth Care Workers' Association, a staff registry as a first step to certification.

  - Develop a more effective personnel screening process, including improving the information base on known or suspected abusers, and better communication between the court system, treatment facilities, other child care facilities and the Child and Family Support Branch.

- to strengthen the accountability of facilities, placing agencies, youth correctional facilities, and the Child and Family Support Branch, and provide better coordination in the overall management of residential care.

  ACTION:

  - Extend the new Child and Family Services Information System into the residential care and treatment centres.

- Instruct the Working Committee to examine the development of a Code of Conduct for facilities; standards for or a uniform reporting policy; and safe practices guidelines in caring for children.

- Establish an interdepartmental committee to review and coordinate Child and Family Services, Justice, Mental Health, and Education services to children in care.

- Review the long-term plans for Seven Oaks Centre while continuing to implement improvements planned in response to separate recommendations by the Provincial Ombudsman. The broader review of treatment resources will encompass determining alternative care for children currently placed in Seven Oaks Centre and the use of locked facilities.

- Improve communications on requirements and expectations between the Child and Family Support Branch, the residential facilities, and the placing agencies.

- Distribute Board Management Guides.

1. STRENGTHEN AND CLARIFY PROCEDURES

- COMPREHENSIVE REVIEW OF THE CHILD AND FAMILY SERVICES ACT

  RECOMMENDATIONS: 1-13, 36, 37, 41, 42

- PROVINCIAL INVESTIGATIVE TEAM

  RECOMMENDATION: 20

- WORKING COMMITTEE TO ADDRESS SYSTEMIC ISSUES

  RECOMMENDATIONS: 34, 45

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
1. Consideration be given to changing the definition of "physical abuse" in The Child and Family Services Act to use the term "physical harm" instead of physical injury.	. The present definition of physical abuse is well accepted by the child welfare authorities in general. [ex. Child Welfare League of North America]. . The perceived problems in reporting are not necessarily the result of the present definition. Reporting of child sexual abuse has been viewed as a higher priority.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with schools, day cares, child and family service agencies. . Encourage closer working relationships between agencies and care facilities to enhance the development of consistent interpretation of definitions and reporting procedures.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
2. The definition of emotional abuse in The Child and Family Services Act be replaced with a new definition which uses the phrase "emotional harm". "Emotional harm" be defined further in the Act to include observable behaviours similar to the provisions in the Alberta, Nova Scotia and Ontario statutes.	. The current definition focuses on serious cases and, therefore reporting practices reflect this. . Reporting in accordance with the present requirement is influenced by the practical ability of the legal system to prosecute.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with Alberta and Nova Scotia with respect to their legislation which speaks to "emotional harm". . Consider the inclusion of the concept of "observable behaviours" in the present guidelines or protocols for reporting.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
3. The Child and Family Services Act be amended to include specific reference to past abuse within the mandatory reporting requirements. The Guidelines be revised to be consistent with the Act.	. This is an area of confusion because the legislation is not clear. . The mandate of Agencies is to focus on a child "in need of protection, including child abuse," at the present time. Unless there are present protection issues an agency does not have a clear role. . The police tend to have the primary responsibility in investigations related to past events. . Application of the Statute of limitations is not clear. . There are many adult survivors who are now disclosing childhood abuse. . Cases dealing with "dated" evidence are very time-consuming and complex. Given the current workload priorities, these cases tend to be given lower priority where no child is currently at risk or where there are no current protection issues.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with police and Justice. . Review legislation in other provinces around how they handle similar reporting. . Consult with the Provincial Advisory Committee on Child Abuse (PACCA).

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
4. The Child and Family Services Act be amended to include a specific definition of third party assault and the Act clearly state that third party assault is subject to the mandatory reporting provisions.	. Current legislation was extended in September 1989 to include persons in "position of trust" as a protection/abuse matter. . "Third party assaults" for the most part do not involve parents or guardians who have intentionally placed their children in "need of protection". . "Third party assaults" are investigated by the police. . There is a strong belief in the protection/abuse system that third party assailants who are convicted (i.e.pedophiles) should automatically be listed on the registry. These are the most serious of offenders and most likely to re-offend. . There is no other tracking vehicle outside of Canadian Police Information Centre for many of these offenders.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with the police, Justice, and the Provincial Advisory Committee on Child Abuse in regards to the broader implications of such a change.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
5. The Child and Family Services Act be amended to set a maximum penalty for failing to report as required in section 18; and, that the maximum penalties be, at minimum, a fine of $2,000.00, a one year prison term, or both.	. The Act was drafted on the basis that it would be most effective to encourage reporting on the basis of the "best interest" of the children, rather than on fear of penalty. . Current reporting requirements appear to be working quite well. . The present approach in encouraging reporting is based on co-operation and education.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with the Protection/Abuse Council (comprised of representatives of child and family service agencies) as to whether this is an effective way to deal with enforcement. . Consult with the Provincial Advisory Committee on Child Abuse and other professional groups.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
6. The Child and Family Services Act be amended to provide that where a person violates the mandatory reporting provisions whose occupation, profession or official duties involves the care, custody, control or charge of, or unsupervised access to children be subject to a maximum penalty of a fine of $5,000.00, a one year prison term, or both.	. Under section 18.3, the Act provides for a "summary conviction" but gives no penalties for violation. . The Act was drafted on the basis that it would be most effective to encourage reporting on the basis of the "best interest" of the children, rather than on fear of penalty. . Guidelines for reporting abuse have been established for specific professional groups including doctors, nurses, teachers and social workers. These were established with the active participation of each of the professional bodies.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with the Provincial Advisory Committee on Child Abuse regarding the implications of this recommendation.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
7. Failure to report as required in section 18 of The Child and Family Services Act be designated as a continuous offence; or The Act be amended to provide that a prosecution for failure to report as required in section 18 may not be commenced later than one year after it came to the knowledge of an agency or the Director.	. At present, the Act is silent on whether "failure to report" should be a continuous offense or on the requirement to prosecute.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with legal counsel around other legal implications of including a continuous offence approach in our Act.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
8. Section 18.2(1) of The Child and Family Services Act be amended to require the Director to report to the relevant professional society, association or regulatory body when the Director has reasonable grounds to believe that a person has violated section 18 and that person's occupation, profession or official duties involves the care custody control or charge of or allows unsupervised access to children.	. Presently the Director does not report until an agency abuse committee has reviewed the case and made a finding. Exceptions are made in specific situations where the agency requests immediate reporting due to the nature of the situation, because there may be a risk of placing children in need of protection.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with the appropriate regulatory and hiring authorities in respect to the process and general input from their perspectives.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
9. <u>The Child and Family Services Act</u> be amended to provide a maximum penalty for interfering or harassing an informant; and, that the maximum penalties be, no more than a fine of $2,000.00, a one year prison term, or both. <u>The Child and Family Services Act</u> be amended to provide that a prosecution for interfering or harassing an informant cannot be commenced later than two years after knowledge of the offence came to the attention of an agency or the Director.	. Current legislation is not as explicit or time-limited as is recommended.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with Justice and the Provincial Advisory Committee on Child Abuse.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
10. A section be added to The Child and Family Services Act to stipulate that no person shall interfere with, impede or obstruct or attempt to interfere with, impede or obstruct the reporting or investigation of a child in need of protection. A section be added to the Act which states that anyone found to violate the clause recommended above is guilty of an offence and liable to a fine of up to $2,000.00, a one year prison term, or both.	. The current Act does not provide for such action. . Section (S. 52) deals with interference involving children in care.	. Refer the recommendation to the legislative review scheduled for 1993. . Consult with the Provincial Advisory Committee on Child Abuse and Justice. . Consider the impact particularly as it relates to the rights of family members and the mandate of child and family service agencies.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
11. The Child and Family Services Act be amended to impose higher penalties for a person found to have interfered or harassed an informant when that person's professional, official or employment duties involves the care, custody, control or charge of a child or permits unsupervised access to children. Maximum penalties for these offenses be set at a fine of $5,000.00, a one year prison term or both.	. The Act was drafted on the basis that it would be most effective to encourage reporting on the basis of the "best interest" of the children, rather than on fear of penalty. . The current legislation is intended to convey that professionals have a responsibility to report based on the understanding of the requirements not on the fear of penalty.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with Justice and the Provincial Advisory Committee on Child Abuse.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
12. Section 18.2(1) of The Child and Family Services Act be amended to require the Director to report to the relevant professional society, association or regulatory body and to the person's place of employment when the Director has reasonable grounds to believe that a person has committed an interference or obstruction type offence.	. The Act is silent on this issue.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with Justice, the Provincial Advisory Committee on Child Abuse, involved professionals and employers.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
13. The Child and Family Services Act be amended to provide that any person who falsely and maliciously report information to an agency that a child is in need of protection and is guilty of an offence and is liable to a maximum fine of $2,000.00, a one year prison term, or both.	. Current legislation requires reporting based on the test of "reasonableness".	. Refer this recommendation to the legislation scheduled for 1993. . Consult with the Provincial Advisory Committee on Child Abuse, Justice, and the Protection Council.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
36. Amendments be made to The Child and Family Services Act to include third party assaults in the definition of abuse for purposes of the Child Abuse Registry; or Section 19(4) of The Child and Family Services Act be amended to include persons convicted of criminal offenses against children.	. Current legislation does not provide for the registration of third party offenders (i.e. persons who are not parents or guardians or in "positions of trust"). This means that most pedophiles as third party offenders do not come to the attention of an agency, nor are they listed on the Registry. . Section 19(4) currently includes "persons convicted by a court of abusing a child" and not of having "criminal offences against children" which is a broader definition.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with Justice.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
37. The Child and Family Services Act be amended to provide that agencies or the Director be notified when a person is charged with an offence based on alleged acts or omissions by that person in relation to a child.	. Provisions exist for an agency to report to the employer where a child has been found "in need of protection". . The Act requires that the police report to an employer when charges have been laid. . There is no requirement for the Director to be notified except where the case is to be listed on the Registry. . There is no central, ongoing or current "tracking" of third party assaults.	. Refer this recommendation to the legislative review scheduled for 1993. . Consult with Justice, the respective police departments, and the Provincial Advisory Committee on Child Abuse.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
41. The Department of Family Services and the Department of Justice review all applicable legislation, regulations standards and guidelines with respect to children in care or custody in light of the provisions contained in the U.N. Convention on the Rights of Child to ensure consistency.	The UN Convention on the Rights of Children was reviewed extensively by the Department of Justice (Legal Services) prior to Canada ratifying the Convention on December 11, 1991. Both Community and Youth Corrections and the Child and Family Support Branch were involved in this process.	. Refer this recommendation to the legislative review of The Child and Family Services Act in 1993.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
42. The Child and Family Services Act, Regulations and Standards be reviewed to ensure consistency with the Canadian Charter of Rights and Freedoms. Reference be made to the Canadian Charter of Rights and Freedoms with respect to children in care under The Child and Family Services Act, Regulations and Standards.	. A major Charter compliance review of The Child and Family Services Act was done in 1987. . This review did not include regulations and was done prior to the development of the current standards.	. Refer this recommendation to the legislative review of The Child and Family Services Act in 1993.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
20. A central team be established to conduct investigations of allegations of abuse in children's residential care facilities. The team be assigned to the office of The Children's Advocate. A protocol for investigations be developed and circulated to all residential care facilities. The Central Investigation Team develop a system to categorize conclusions of investigations. Any conclusions address concerns related to standards, appropriateness of behaviour and job performance. All conclusions be communicated in writing to the facility, the person accused, the agency, the child, and the Child and Family Support Branch.	. Inconsistency and confusion does exist around the process of investigation of abuse allegations in residential care facilities. . The Winnipeg Police do have a "specialized" abuse investigative team. . The Act currently provides for the reporting of conclusions of a child abuse investigation.	. Refine the protocol with respect to the process of conducting abuse investigations in care facilities in keeping with the Act and guidelines. . Establish investigation teams to provide an independent examination of abuse allegations against staff working in residential care facilities.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
34. All residential care and youth corrections facilities include as part of orientation for new staff, safe practice guidelines and procedures for investigating allegations of abuse against staff.	. Individual operators of facilities have the responsibility for orientation of new staff and for ongoing work habits of staff.	. Establish a standard that requires facility operators to provide safe practice orientation.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
45. Regulations be passed pursuant to The Child and Family Services Act requiring that all residential care facilities be operated by an incorporated organization with an elected Board of Directors, or in the case of social, charitable or community service agencies, a Management Committee consisting of a minimum of five persons, none of whom are members of the immediate family of an employee, and not more than 20% of whom are employees of the facility. The Child and Family Support Branch publish an orientation handbook for Boards of Directors and Management Committees of residential care facilities. The Child and Family Support Branch sponsor an annual orientation meeting for all persons who are serving as directors or members of management committees of residential care facilities. (Contd. on next page)	. An orientation/board development package has been developed and distributed by Agency Relations Bureau, Family Services. . The Child and Family Support Branch has increased its contacts with Boards during the last year. This practice will continue. . Incorporation has been encouraged in all discussions with potential operators of group homes.	. Review the implications of this recommendation utilizing the Working Committee. . Initiate orientation/training sessions for existing Boards. . Utilize the Working Committee to establish Standards regarding staff/management/board relationships and review existing grievance procedures.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
45. (Contd.) All residential care facilities ensure that line staff are represented on the Board or Management Committee. All residential care facilities establish a Personnel Committee whose functions include meeting with line employees at least once annually. The Child and Family Services Standards be amended to require that all residential care facilities have a grievance procedure which requires a copy or notice of any grievance filed by a child be provided to the Board of Directors/ Management Committee.	. Child and Family Services Program Standards already require that facilities have a grievance policy for children.	

2. ENSURING THAT "THE BEST INTERESTS" AND "RIGHTS OF CHILDREN" ARE SERVED

- CHILD ADVOCATE'S OFFICE

  RECOMMENDATION: 44

- IMPROVED COMMUNICATIONS

  RECOMMENDATIONS: 19, 46

- OUTLINE OF CHILDREN'S RIGHTS

  RECOMMENDATION: 39

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
44. The Children's Advocate report directly to the Legislature as recommended in the report of the Aboriginal Justice Inquiry. The mandate of the Children's Advocate include individual and systemic advocacy. An information package on the Children's Advocate be given and explained to children when they come into care. All residential care and young offenders facilities be required to post, in a conspicuous location, an information sheet on the Children's Advocate. The information package and information sheet use language and be designed in a manner that is appropriate for children.	. The Minister has announced the Government's intention to establish the Children's Advocate. The intent of current policy is to focus the Advocate's role on services under The Child and Family Services Act. . The proposed Bill for the 1992 Session would empower the Children's Advocate to do individual, class and systemic advocacy.	. Review these recommendations in the implementation and development of The Office of the Children's Advocate.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
19. Regulations be passed requiring all residential care facilities to instruct staff in the reporting requirement of The Child and Family Services Act at the time of employment and on an annual basis thereafter.	. Program Standards require all facility operators to provide orientation on reporting requirements to staff.	. Consider the advisability of establishing Program Standards as Regulations.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
46. Agencies ensure that workers receive training in standards related to residential care facilities. The Child and Family Support Branch take steps to ensure that all agencies are complying with Child and Family Services Standards.	. The Child and Family Support Branch has developed a Quality Assurance Program which has been tested in several agencies and will be implemented as regular practice.	. Implement the Quality Assurance Program throughout the entire child and family service system to monitor compliance with standards.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
39. The Child and Family Services Standards require children be informed of their rights and entitlements prior to, or upon entering a residential care facility. The Child and Family Services Standards require children be re-informed of their rights and entitlements at least every six months while in care. The Child and Family Services Standards require all residential care facilities to have a grievance procedure which fully explains all avenues to appeal available to children under the Act. All residential care facilities be required to display, in a conspicuous location, children's rights and entitlements, employee codes of conduct, and grievance or complaint procedures. The Child and Family Services Standards require that, upon placement, the child be advised of the grievance and complaint procedure both internal and external to the facility. The Child and Family Services Standards explicitly require that parents and guardians be informed of their rights and the rights of their children.	. Current standards in residential care facilities require a grievance procedure be available and an orientation be provided to new residents. Standards also define health and basic care requirements.	. Review and develop appropriate program standards for child care facilities to ensure children's rights are protected. . Develop posters and pamphlets which outline and clarify the rights and responsibilities of children and parents.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
46. Agencies ensure that workers receive training in standards related to residential care facilities. The Child and Family Support Branch take steps to ensure that all agencies are complying with Child and Family Services Standards.	. The Child and Family Support Branch has developed a Quality Assurance Program which has been tested in several agencies and will be implemented as regular practise.	. Implement the Quality Assurance Program throughout the entire child and family service system to monitor compliance with standards.

3. DEVELOPING A COMPREHENSIVE RESIDENTIAL CARE AND TREATMENT PROGRAM FOR CHILDREN AND ADOLESCENTS IN MANITOBA

- **COMPREHENSIVE PLAN FOR TREATMENT SERVICES**

  RECOMMENDATIONS: 15, 43, 49

- **CULTURALLY-APPROPRIATE SERVICES**

  RECOMMENDATION: 50

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
15. St. Amant Centre be licensed as a children's residential care facility pursuant to section 8(1) of The Act. The existing standards be amended to include special services for disabled children in care. The Department of Family Services clearly articulate that standards for programming at St. Amant Centre are to be monitored under the jurisdiction of the Director of Child and Family Services.	. St. Amant Centre is accredited by The Canadian Council on Health Facilities. The current number of clients being served is approximately 246; 108 children and 138 adults. . Continued development of community placements and family supports will result in fewer children being placed in the facility. By March 1993, it is anticipated that the number of children will be reduced to 100.	. Review the need to license facilities that are accredited as a long-term care health facility.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
43. Regulations be passed pursuant to The Child and Family Services Act establishing criteria for the admission, length of stay and review of placement in locked facilities; and the approval and use of a locked room within residential facilities. Standards be developed establishing criteria for the use of confinement to an unlocked room as a disciplinary method and that such standards require the child's worker to be notified each time an unlocked room is used for confinement.	. The Secure Admissions and Placement Panel, appointed by the Director of Child and Family Services, has reviewed admissions to secure treatment facilities to ensure appropriate use of resources. . Ongoing planning needs for children are the responsibility of the placing agency. . Use of a locked room is addressed in Child and Family Services Program Standards.	. Utilize the Working Committee to identify the safety requirements of children in care and to ensure existing practices are compatible with children's rights and needs.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
49. The Department of Family Services develop a three year plan to address the need for: - additional specialized placements including assessment resources, placements for sexual offenders and other high risk children; - staffing levels and clinical support for all residential care facilities; - resources in rural and northern Manitoba; - culturally and linguistically appropriate resources for Aboriginal children; - additional resources for children under 12; - additional resources for older adolescents. The Department of Family Services ensure that adequate training of agency workers and supervisors occur. The Child and Family Support Branch establish a central directory of all treatment programs/resources available throughout the Province.	. A survey of provincial resource requirements was commenced with child and family service agencies in January 1992. All the information has not yet been received or analyzed. . A Service Registry Manual is currently available. . The Winnipeg Child Abuse Treatment Paper Committee has recently released a resource list for child abuse treatment services in Winnipeg. . MacDonald Youth Services has recently received approval to develop two residential care facilities for male adolescents in Thompson, Manitoba.	. Establish a review process to assess and develop a long-term strategy for residential care.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
50. The Departments of Family Services and Justice jointly sponsor a workshop to discuss ways in which residential care and Young Offender's facilities can provide services to better meet the cultural and linguistic needs of Aboriginal children. An advocacy group such as the Aboriginal Women's Unity Coalition be asked to play a leadership role in organizing and conducting the workshop.	. The Child and Family Support Branch has been working with Native groups to facilitate the development of culturally appropriate residential resources in the local community. . Recent examples of this activity include facility development in the communities of Cross Lake and Little Grand Rapids. . Preliminary discussions have also occurred in relation to resource development in Pigeon River, God's River, and Pukatawagon.	. Utilize the committee established under the Aboriginal Justice Inquiry to determine ways children's facilities can provide services to better meet the cultural and linguistic needs of Aboriginal children. . Consult with Aboriginal organizations.

4. PERSONNEL, STAFF TRAINING AND CERTIFICATION

- STAFF REGISTRY AND CERTIFICATION

  RECOMMENDATIONS: 26, 27

- RESIDENTIAL CHILD CARE CURRICULUM COMMITTEE

  RECOMMENDATIONS: 24, 25, 28, 29, 31, 32

- STAFF RECRUITMENT AND SELECTION

  RECOMMENDATION: 35

- SUPPORT AND TRAINING

  RECOMMENDATIONS: 21, 22, 23

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
26. Regulations be passed pursuant to The Child and Family Services Act, to set classification levels for youth care workers and minimum qualifications for each level. Such regulations specify time periods within which all staff in facilities are to be classified, similar to those contained in The Community Child Day Care Standards Act. The Curriculum Development Committee develop youth care competencies to establish a program of competency based assessments. The regulations set forth the time periods during which all staff are to meet the minimum qualifications, and allow upgrading and competency based assessments to occur. The Child and Family Support Branch establish a registry for youth care workers to monitor the progress of the classification process.	. The Residential Care Advisory Committee has developed position descriptions, qualifications, etc. for all staff in residential facilities. These are currently part of the Preferred Practise section of the Program Standards Manual. . Proposals for the development of a Certification process have been discussed with the Child and Youth Care Workers' Association.	. Initiate the process by establishing a registry for youth care workers and a committee to review all aspects of classification for residential youth care workers. . Expand the Service Information System to provide the capacity to implement this recommendation.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
27. All residential care facilities be required to provide the Child and Family Support Branch with a list of all staff and thereafter notify the Child and Family Support Branch of any changes in staff.	. Prior to 1981, this was a requirement for all care facilities. The process changed when the funding model currently used for residential care facilities was introduced.	. Develop a standard requiring care facilities to provide the Child and Family Support Branch with a listing of all residential care staff. Expand the Service Information System to allow residential care facilities the capacity to implement this recommendation.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
24. The Minister of Family Services establish a Curriculum Development Committee which includes representation from residential care facilities and youth care workers.	. During 1990/91, staff of the Child and Family Support Branch sat on a committee with Red River Community College and other service providers and agency staff to review, monitor and develop curriculum. . The Child and Family Support Branch assisted with agencies and service providers in the development of the New Careers program. . Red River Community College has made a commitment to the Child and Youth Care Workers' Association to consider a full-time child care worker program for 1993.	. Establish a curriculum development committe

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
25. The Curriculum Development Committee work in conjunction with the Department of Education, community colleges and other educational institutions to develop an appropriate educational training program for youth care workers.		. Departments of Education and Family Services to review the feasibility of establishing a full-time youth care program at Red River Community College for September (1993).

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
28. The Curriculum Development Committee identify and develop a series of core courses for youth care workers, and such courses be immediately available for staff in residential care facilities. The Child and Family Support Branch establish a fund to cover the costs of delivering these courses and replacement of staff.		. Utilize the curriculum development committee to develop a series of core courses for youth care workers.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
29. Training in Aboriginal cultural and linguistic issues be included in the core courses developed by the Curriculum Development Committee.		. Utilize the curriculum development committee to ensure the inclusion of training in Aboriginal cultural and linguistic issues in the core courses.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
31. The Curriculum Development Committee develop a set of core courses for supervisory staff in residential care facilities.		. Utilize the curriculum development committee to address the need for core courses for supervisory staff.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
32. Non-violent crisis intervention and self awareness training be included in the core courses developed by the Curriculum Development Committee.	. Government facilities have access to Government staff to provide this training. . The Manitoba Association of Residential Treatment Resources has four trainers in non-violent crisis training. As a result, a minimum of four training sessions will occur yearly for staff in the private facilities.	. Utilize the curriculum development committee to address the need for non-violent crisis intervention and self-awareness training in the core courses.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
35. A standardized screening procedure for all residential care and youth corrections facilities be developed. Any persons responsible for hiring in a residential care or youth corrections facility be trained in the use and implementation of such procedures. All residential care and youth corrections facilities employ thorough reference checks in screening job applicants.	. No standardized hiring process is currently in place for privately operated facilities. Individual facilities are responsible for their specific hiring policies and procedures. . All child care workers are subject to a Child Abuse registry and Criminal Reference Check.	. Standardize minimum screening and hiring practise requirements. . Expand the Service Information System to residential care facilities to enhance their ability to more effectively screen new staff.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
21. The Department establish a fund to cover the salary of any employee suspended as a result of an allegation of abuse pending the conclusion of an investigation.	. Facilities are not provided with funding for this purpose.	. Review the requirements and feasibility of implementing this recommendation.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
22. An employee assistance program be made available to all residential care facilities and be funded by the Department of Family Services.	. Seven Oaks Centre is reviewing this matter and will develop a plan to provide assistance to its staff members. . The Child and Family Support Branch has requested the Employee Assistance Program consider providing service to child care staff. . Facility operators are considering purchasing this service through Blue Cross.	. Review the requirements for an employee assistance program and determine the feasibility of implementing this service.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
23. The Department of Family Services implement funding for residential care facilities to allow for parity with Provincial facilities.	. Government introduced a four year pay parity program which will be completed in the 1992/93 fiscal year. Additional funding of $1,429,000 was provided. . In 1990/91, $259,000 was provided for adjustment to care costs to increase to the average level of actual operation. . The Manitoba Association of Residential Treatment Resources has identified that funding received for pay parity has been utilized on a global basis. . Manitoba Association of Residential Treatment Resources Inc. and the Child and Family Support Branch have struck a committee to review facility expenditures and funding levels.	. Continue the process established with residential care facilities to review expenditures, funding levels and assessing additional funding options.

5. IMPROVED MANAGEMENT AND SYSTEM COORDINATION

- COMMUNICATIONS

  RECOMMENDATIONS: 17, 47, 48

- INTERDEPARTMENTAL COORDINATION

  RECOMMENDATIONS: 14, 18, 38, 40

- CODE OF CONDUCT/SAFE PRACTICES GUIDE

  RECOMMENDATIONS: 30, 33

- SEVEN OAKS CENTRE

  RECOMMENDATION: 16

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
17. The Director of Child and Family Services be the designated licensing authority for children's residential care facilities. Regulations be developed pursuant to The Child and Family Services Act setting out the licensing criteria for children's residential care facilities. One set of standards be developed for children's residential care facilities. The standards contain a separate section on reporting where a child may be in need of protection. The standards include a uniform policy for reporting to be utilized by all children's residential care facilities. . The uniform reporting policy: clearly state the first-disclosure recipient is responsible for reporting to an agency; (Contd. on next)	. Residential Care Facilities are currently licensed under The Social Services Administration Act by Residential Care Licensing. . Residential Care Facilities are responsible to the Child and Family Support Branch for program standards. . Residential Care Facilities have indicated their confusion over lines of accountability.	. Establish a single focal point of responsibility within the Department to develop uniform standards and policy relating to the licensing of residential care facilities. . Refer to the Working Committee to develop a uniform reporting policy for children's residential care facilities.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
17. (Contd.) - encourage consultation with experts external to the facility such as the police, an agency, or the Child and Family Support Branch; - where the alleged offender is a staff member, require steps to be taken to ensure the staff member is to have no contact with children in the facility until an investigation is completed, and that the Board of the facility be notified of the report; - where the alleged offender is in a management position, or there is reason to believe management had prior unreported knowledge of the incident, that management not be notified of the report and, the Board of the facility be notified after a report has been made to the agency; - all staff be provided with a copy of the uniform policy and be required to sign an acknowledgement that they have read and understood the policy. - facilities provide the Child and Family Support Branch with a copy of all signed acknowledgements from staff.		. Review Child and Family Services Program Standards to ensure consistency with licensing and program requirements and existing guidelines. . Consult with Justice, Manitoba Association of Residential Treatment Resources Inc, Council of Child Care Treatment Centres, and child and family service agencies to ensure the development of a standardized reporting policy.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
47. Three staff be assigned to the Directorate as Residential Care Coordinators with the responsibility for conducting licensing and standards reviews similar to what is done in Day Care. Residential Care Coordinators each be assigned responsibilities for licensing and assessing standards in a set number of facilities. Procedures for conducting the reviews be developed and provided to residential care providers which clearly outline the purpose of the reviews, the process to be followed, and the role of the Directorate and facility staff. A report be produced at the end of each review that is shared with the facility. The Directorate prepare an annual report on all licensing and standards reviews done at residential care facilities. A copy of the annual report be given to all children's residential care facilities, mandated agencies, regional offices, the Chief Medical Examiner, the Children's Advocate, and the Ombudsman.	. Residential Care Licensing Branch currently assumes responsibility for the licensing process.	. Review the Department's existing practices and capacity to monitor Residential Care facilities.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
48. The Department enter into service contracts with all treatment centres by March 31, 1993. The Department enter into service contracts with all residential care facilities by March 31, 1994. The Department develop funding formulas to ensure that all residential care facilities are funded for administrative expenses.	. Service and Funding Agreements are currently being negotiated with or are scheduled for negotiation with the residential care facilities. . Funding models are currently being reviewed by the Child and Family Support Branch.	. Implement Service and Funding Agreements. . Continue discussions with residential care operators regarding funding issues.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
14. All Young Offenders facilities be licensed pursuant to section 8(1) of The Child and Family Services Act. The Minister of Family Services delegate licensing authority to the Provincial Director of The Young Offenders Act similar to what is done for open custody homes. The operational reviews incorporate relevant The Child and Family Services Act standards for children's residential care facilities. The Child and Family Services Standards related to young offenders be amended to provide a more comprehensive protocol for reporting and investigating allegations of abuse in young offender's facilities.	. Government institutions for children and youth are currently not licensed under The Child and Family Services Act or The Social Services Administration Act. . The Child and Family Services Act defines a treatment centre as any place designated by the Minister for the care and treatment of more than eight children and includes facilities operated by any government department for those purposes but does not include facilities for the reception and temporary detention of a child. . Manitoba Regulation 484/88R provides for the approval or licensing of residential care facilities.	. Consult with Justice regarding licensing authority and operational issues. . Collaborate with Justice to ensure adherence to consistent protocols for reporting and investigating allegations of abuse in young offender facilities.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
18. The Department of Justice, in conjunction with the Department of Family Services, review the internal policies for reporting suspected child abuse at the youth correctional facilities to ensure consistency with the definition of a child in need of protection, and mandatory reporting in The Child and Family Services Act. All youth correctional facilities adopt the Uniform Reporting Policy contained in the Child and Family Service Standards.	. Present reporting protocols have been signed by Justice, Health, Education, and Family Services. . There has been no monitoring of compliance between Justice and Family Services.	. Initiate a joint review with Justice to address the issue of reporting suspected child abuse at youth correctional facilities. . Implement a developmental review of existing licensing policy and procedures.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
38. The Department of Family Services and the Department of Justice develop and implement a process whereby relevant convictions are automatically referred to the Child Abuse Registry.	. There is no central coordinating system for filing Certificates of Conviction. . Review the implementation of this recommendation with the Department of Justice.	. Review with Justice the implementation of this recommendation.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
40. Youth correctional facilities be required to inform children in custody of their rights under The Young Offenders Act and their rights specific to the facility in which they are placed while in custody. Youth correctional facilities be required to inform the child's parents or guardians of their child's rights as well as their parental/guardian rights related to their child being in custody. Youth correctional facilities be required to inform children of the grievance/complaint procedures applicable to the facility within which they are placed as well as those avenues available to them which are external to the facility in which they are placed. Youth correctional facilities be required to post grievance/complaint procedures, employee codes of conduct, and children's rights while in custody in conspicuous locations throughout. A child in custody be re-informed of his or her rights at regular intervals while in custody.	. Policies and procedures for youth correctional facilities are the responsibility of Community and Youth Corrections.	. Consult with Justice to ensure compliance to Child and Family Services Standards regarding children's rights.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
30. A comprehensive Code of Conduct be developed for all residential care facilities.	. A Code of Conduct is presently a requirement but as it is the responsibility of the individual facility, the content varies from facility to facility. . Child and Youth Care Workers Association have confirmed a Code of Ethics for their members.	. Refer to the Working Committee to standardize the components of a Code of Conduct.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
33. The Department of Family Services make available project funding to develop safe practice manual for youth care workers.	. Individual operators of facilities have the responsibility for orientation and ongoing development of staff.	. Review the need for and feasibility of developing a safe practice manual for youth care workers.

RECOMMENDATIONS	CURRENT STATUS	ACTION PLAN
16. An immediate management review of Seven Oaks Centre be conducted. A management committee be appointed forthwith to oversee the operation of Seven Oaks Centre. This committee should be given the usual powers and authorities of a Board of Directors. Seven Oaks Centre be licensed pursuant to Section 8(1) of the Act. The Department work in conjunction with the Manitoba Government Employee's Association to have employees moved to the social services component of the Collective Agreement. The Department work with the Department of Health to ensure appropriate placement resources for children needing psychiatric services. The Department develop a three year plan to close Seven Oaks Centre, and replace it with alternative receiving resources.	. In October 1987, a review of Seven Oaks Centre was completed by the Department in conjunction with child and family service agencies. As recommended, the Centre was identified as a short-term stabilization facility and downsized. . The review also recommended that all child-specific services including medical and psychiatric should be accessed from the community and remain the responsibility of the child and family service agency. . The current function of Seven Oaks Centre is perceived by child and family service agencies and other service providers as essential in the provision of services. . A review was recently completed by the Ombudsman and the recommendations of this review are presently being addressed. . At present consultation to the Centre is provided by the Acute Treatment Consultation Team on a child-specific basis.	. Continue the implementation of the recommendations arising from the Ombudsman's Report. . Review the function of the Centre within the context of the previously completed external reviews with a view to developing long-term plans for the Centre. . Implement with the Department of Health options available for providing necessary mental health resources which would be available on an established basis to the Centre. . Consider licensing the Centre.